

MAINE STATE LEGISLATURE

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DATE: June 29, 1995

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STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 251, L.D. 648, Bill, "An Act to Correct Errors and Inconsistencies in the Laws of Maine"

Amend the amendment by inserting after Part B the following:

PART C

Sec. C-1. 14 MRSA §8112, sub-§9, as repealed by PL 1993, c. 707, Pt. G, §9, is reenacted to read:

9. Certain suits arising out of use of motor vehicles. A governmental entity is not required to assume the defense of or to indemnify an employee of that governmental entity who uses a privately owned vehicle, while acting in the course and scope of employment, to the extent that applicable liability insurance coverage exists other than that of the governmental entity. In such cases, the employee of the governmental entity and the owner of the privately owned vehicle may be held liable for the negligent operation or use of the vehicle but only to the extent of any applicable liability insurance, which constitutes the primary coverage of any liability of the employee and owner and of the governmental entity. To the extent that liability insurance other than that of the governmental entity does not provide coverage up to the limit contained in section 8105, the governmental entity remains responsible for any liability up to that limit.

Sec. C-2. PL 1995, c. 352, §1 is repealed.

Sec. C-3. Retroactivity. This Part applies retroactively to June 30, 1995.'

R 48.
SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 251,
L.D. 648

Further amend the amendment by relettering or renumbering
any nonconsecutive Part letter or section number to read
consecutively.

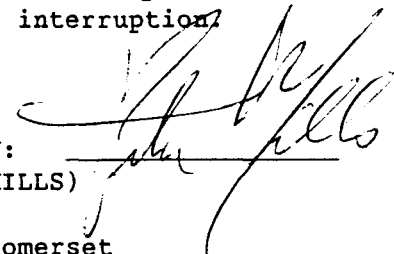
FISCAL NOTE

The amendment reenacts certain governmental liability
insurance provisions with an emergency provision to ensure that
they continue without any interruption.

Continuing these provisions may avoid potential costs to the
State from suits related to negligent vehicle operation which may
arise during the period when these liability provisions are not
in effect.

STATEMENT OF FACT

This amendment reenacts the Maine Revised Statutes, Title
14, section 8112, subsection 9 scheduled to be repealed June 30,
1995 and accomplishes the intent of Public Law 1995, chapter
352. It allows the provision to remain in effect after June 30,
1995 without interruption.

SPONSORED BY: 
(Senator MILLS)

COUNTY: Somerset